

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

KATHRYN JANE GILBERT.

Plaintiff,

V.

KILOLO KIJAKAZI, acting
Commissioner of Social Security,

Defendant.

CASE NUMBER: 1:20-cv-00873-GSA

**ORDER GRANTING PLAINTIFF
EXTENSION OF TIME TO FILE
OPENING BRIEF**

The parties stipulate to a 50-day extension of time from February 16, 2022 to April 7, 2022 for Plaintiff to file an opening brief due to counsel's workload given the increased number of Certified Administrative Records filed in previously stayed cases as well as co-counsel's absence caring for her ill father. This is Plaintiff's first motion for an extension for cause.

The Scheduling Order allows for a single extension of thirty days by the stipulation of the parties. Doc. 7 at 3. Beyond the single extension by stipulation, “requests to modify [the scheduling] order must be made by written motion and will be granted only for good cause.” *Id.*

When considering whether good cause exists to modify a scheduling order, courts consider the foreseeability of the impediment to meeting the deadline and the party's diligence in seeking the extension once it became apparent they could not meet the deadline. *See Sharp v. Covenant Care LLC*, 288 F.R.D. 465, 467 (S.D. Cal. 2012); *Ordaz Gonzalez v. Cty. of Fresno*, No. 1:18-CV-01558-BAM, 2020 WL 2539287, at *2 (E.D. Cal. May 19, 2020). The Court has the inherent power to manage its own docket to achieve an orderly and expeditious resolution of cases. *Southern California Edison Co. v. Lynch*, 307 F.3d 794 (9th Cir. 2002).

Counsel identified good cause for the extension and sought it well in advance of the deadline.

Accordingly, it is **ORDERED** that Plaintiff's deadline to file an opening brief is extended to and including April 7, 2022. All other deadlines are adjusted accordingly.

IT IS SO ORDERED.

Dated: February 8, 2022

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE